

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THOMAS W. BIRO,

Plaintiff,

File no: 1:05-CV-38

v.

HON. ROBERT HOLMES BELL

BOB CHAMPION, et al.

Defendants.

_____/

**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

IT IS ORDERED that Defendant Champion's motion for summary judgment (docket #21) is **GRANTED**, and judgment is entered in Champion's favor on all Plaintiff's federal claims.

IT IS FURTHER ORDERED that Plaintiff's claims against the Michigan State Bar Association are **DISMISSED** for failure to achieve timely service of the summons and complaint as required by Rule 4(m) of the Federal Rules of Civil Procedure.

The Court declines to exercise supplemental jurisdiction over Plaintiff's state-law claims.

Date: November 8, 2005

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE